

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

CECIL KOGER,	)	CASE NO: 4:17-CV-2409
	)	
Plaintiff,	)	JUDGE BENITA Y. PEARSON
	)	
v.	)	
	)	<b><u>MOTION FOR EXTENSION OF TIME</u></b>
DIRECTOR GARY C. MOHR, et al.	)	<b><u>and REQUEST FOR STATUS</u></b>
	)	<b><u>CONFERENCE REGARDING</u></b>
Defendants.	)	<b><u>MEDIATION</u></b>

Plaintiff, through undersigned counsel, respectfully requests that the Court extend the deadlines related to dispositive motions in this matter by 30 days, and set a telephonic status conference to continue the Court-assisted mediation.

Plaintiff's Counsel sent a proposed settlement agreement to Defendants' counsel on December 3, 2018. On December 21, the parties informed the Court that they were working through settlement drafts, and counsel for Defendants represented to the Court that "recent staff departures and personal difficulties have delayed ODRC's response." On January 9, 2019, Defendants' Counsel responded with substantive concerns to Plaintiff's proposed settlement agreement, and Defendants' Counsel sent the undersigned Defendants' proposed settlement language on January 18, 2019.<sup>1</sup>

Because the undersigned has only recently made an appearance on the case, and has had to coordinate internally regarding prior settlement discussions in light of Defendants' proposed settlement terms relayed less than two weeks ago, the parties have been unable to reach a final resolution on this matter to date. This motion is not being

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<sup>1</sup> Attorney Avidan Cover has been on sabbatical in Kenya since mid-December 2018.

presented purely for purposes of delay or for any other improper purpose. The undersigned contacted Defendant's Counsel regarding this request for extension of time, and Defendant's Counsel would not consent.

Due to the undersigned's recent involvement with this matter, in addition to the press of immediate obligations in other matters, the undersigned respectfully requests that the Court extend the deadlines related dispositive motions by 30 days, to **March 4, 2019** for dispositive motions, **April 3, 2019** for responses, and replies by **April 17, 2019**. Additionally, because the content of Defendants' most recent settlement position seems to have changed substantially since the parties' mediation with the Court in October, Plaintiff respectfully requests that the Court schedule a telephonic status conference in order to discuss numerous outstanding issues.

Respectfully submitted,

/s/Andrew C. Geronimo

Andrew C. Geronimo

MILTON A. KRAMER LAW CLINIC CENTER

CASE WESTERN RESERVE UNIVERSITY

SCHOOL OF LAW

11075 East Boulevard

Cleveland, Ohio 44106

Telephone: 216.368.2766

Facsimile: 216.368.5137

Email: [andrew.geronimo@case.edu](mailto:andrew.geronimo@case.edu)

*One of the Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

On this 29th day of January, 2019 I filed the foregoing electronically. The Court's electronic filing system will send notice of this filing to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/ Andrew C. Geronimo

*One of the Attorneys for Plaintiff Cecil Koger*